

# Help for American Victims of Crime in South Korea

U.S. Department of State



This handbook is intended to help victims of crime in South Korea. It includes information about how a victim can report a crime, what victims can expect to see happen as their case winds through the court system and what resources are available to them throughout the process.

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Being the victim of a crime in a foreign country can be a traumatic experience. While no one can undo the emotional trauma, physical injury, or financial loss, the U.S. Embassy in Seoul is ready to help. We can assist crime victims in various ways. Our office can help find appropriate medical care, contact family or friends, and help with a better understanding of the criminal justice system in South Korea, which is very different from the system in the United States.

U.S. citizens living or traveling in South Korea are encouraged to enroll with the U.S. Embassy in Seoul directly or through the [State Department's Smart](#) Traveler Enrollment Program (STEP) to receive updated information on travel alerts and security. By enrolling, U.S. citizens make it easier for the Embassy to contact them in case of emergency. The U.S. Embassy is located at 188 Sejong-daero, Jongno-gu, Seoul, Korea 110-710 (02) 397-4114, or contact [seoulinfoacs@state.gov](mailto:seoulinfoacs@state.gov).

The following is a practical guide to help U.S. citizen victims of crime in South Korea. Questions involving interpretation of South Korean laws should be addressed to legal counsel licensed to practice in South Korea. The investigation and prosecution of crimes is solely the responsibility of local authorities. However, in certain cases such as kidnapping, hostage-taking or terrorism, the Federal Bureau of Investigation (FBI) may assist local authorities at their request.

## **REPORTING CRIMES:**

### ***1) Where can victims of crime file police reports or register complaints? Must crimes be reported in the jurisdiction where they happened?***

For the quickest action, contact the police station nearest to the victim's home or closest to the location of the crime or incident. Police can provide English-language interpretation. Alternatively, report incidents to the Korean National Police Agency (KNPA) or to the Seoul Metropolitan Police Agency (SMPA) Headquarters. This may result in investigative delays, as the report will be routed to the police station in the area where the incident occurred.

Report crimes by dialing 112 to reach a KNPA hotline operated 24 hours/7 days a week. English-speaking police officers are available on the hotline.

### ***2) Are there special police officers to assist foreigners?***

Contact interpreters to assist with the police by calling one of the three following organizations: Dasan Call Center (120); Seoul Global Center (02-2075-4180, press 1 for English); or BBB Korea (1588-5644, press 1 for English). English-speaking "tourist police" operate in some areas of Seoul, such as Itaewon and Hongdae, with many foreigners. The officers are not armed. They will summon regular police if there is an emergency or a serious crime.

### **3) *Must police reports be filed within a certain amount of time?***

A formal police report or complaint must be filed within one year from the day the incident occurred. However, as a general rule, it is a good idea to report the incident as soon as it happens. The prosecution of certain crimes can be affected by statutes of limitations. Please contact an attorney for more specific information.

### **4) *Can someone else file a police report on the victim's behalf?***

Yes, but that person needs to be designated with a power of attorney. If the victim returns to the United States, he or she should contact the police after designating someone to file the report, then coordinate with U.S. Embassy Seoul to be sure the report is completed. The Embassy is not able to act directly on behalf of the victim.

### **5) *Will victims be given a copy of the police report?***

Yes, victims should request a copy of the report. If the police won't accept a report of a crime, contact the U.S. Embassy in Seoul immediately. A police report may be needed for crime victim compensation, if it is available, or insurance reimbursement. While we are not authorized to act as a legal representative, our office can help track the progress of a case and provide updates. Victims can send the police report to U.S. Embassy/ACS, 188 Sejong-daero, Jongno-gu, Seoul, Korea 110-710, by email to [Seoul\\_ACS@state.gov](mailto:Seoul_ACS@state.gov) or by fax: (02-397-4101).

### **6) *Will the police provide an interpreter?***

Yes, the police will provide an interpreter by telephone or in person.

## **INVESTIGATIONS:**

### **1) *Who is responsible for investigating crimes?***

The police and prosecutors have primary responsibility. The police will usually conduct a preliminary investigation and then can refer the case to prosecutors.

### **2) *Can victims expect forensic evidence to be collected (fingerprints, photographs, etc.)?***

Yes. Police regularly collect such evidence as part of their case investigations. Korean standards for the collection of forensic evidence, such as the use of fingerprints and DNA, are similar to those of the United States. The police may ask a victim to submit physical evidence (DNA samples, personal items, photos, etc.).

### **3) How will the victim get information about the investigation?**

Police and prosecutors are required to give updates on the progress of a case to victims of the crime. However, that does not always happen. Victims are encouraged to contact the proper officials directly to get information. In some cases, the Embassy can ask the police directly about the status of the investigation.

### **4) To whom should a victim report threats, harassment or intimidation by the accused and their associates?**

Victims should report such incidents to the police station nearest to either the location of the incident or to where the victim lives. Police officers investigate such incidents. It is important to note that under Korean law, it is NOT illegal for a suspect to contact a victim to ask for forgiveness or try to work out a compensation arrangement. In fact, such contact is fairly common in this society where non-adversarial methods, such as conciliation, are often preferred resolutions.

### **5) How long will the case remain open if there is no arrest?**

Typically, most investigations last less than a year and the police have the authority to close a case if there is no evidence, and to reopen it at a later date if necessary. Please consult an attorney for more specific information.

## **ARRESTS:**

### **1) If someone is arrested, will he or she be detained until the trial?**

A warrant is generally required before an individual can be arrested in Korea. No arrest warrant is required, however, for an individual caught in the act of committing a crime. In addition, no warrant is required when an individual is suspected of committing a serious crime if there is a risk that evidence may be destroyed or the suspect may flee.

Authorities can hold arrested suspects for up to 48 hours without a warrant of detention, which must be issued by a judge. Once a warrant is issued, police and/or prosecutors can hold the suspect for a maximum of 30 days, although usually no more than 20 days, while prosecutors determine whether to seek an indictment. Arrested suspects also may be released while they await trial. When a release is granted, the court usually orders defendants to remain within the boundaries of their immediate neighborhood or home.

If the arrestee is a U.S. citizen, the U.S. Embassy is notified and a staff member from the American Citizen Services unit of the Embassy will plan a visit. A trial must begin within six months after a suspect is detained and the whole process generally is completed within 18 months after the indictment.

However, if the suspect does not remain in custody, there is a deadline for the beginning of the trial. There is no limit on the length of the trial in those cases.

The ROK government may prohibit U.S. citizens from leaving South Korea if legal action is still pending and an exit ban is imposed. Exit bans are not placed on victims.

**2) *Will the victim be notified of the arrest?***

If the victim asks to be notified, Korean law requires authorities to carry out notification. Prosecutors may call or even send a text (sometimes in Korean) to the victim. However, in some cases, such notification does not occur. The victim should feel free to contact the police or the courts to get such information.

**3) *Will the victim be asked to identify the perpetrator in person or in a police lineup?***

The victim may be asked to identify the detainee in a way determined by police, including from a lineup from behind a one-way glass panel, or by a selection of photographs. He or she has the option to refuse to participate in this identification process.

## **PRETRIAL PERIOD:**

**1) *Is there a distinction between misdemeanors and felonies?***

Korean law does not clearly prescribe offenses as felonies or misdemeanors.

**2) *Who decides if charges will be filed?***

The public prosecutor decides whether charges are filed, usually based upon a police recommendation.

**3) *Who decides if the case will go to trial?***

Police officers can hold a suspect for up to ten days from the time of a detention while a case is investigated. Prosecutors make all decisions on whether to indict. The public prosecutor may request the court to hold a person for up to two additional ten-day extensions. These requests are normally granted by the courts. There is no formal arraignment procedure in the Korean legal system in which the accused appears before a judge.

**4) *Who is responsible for the prosecution?***

Trial prosecutors are responsible for prosecutions. They are assigned to branch and district offices located throughout Korea. The High Prosecutor's Offices, located in Seoul, Daejeon, Daegu, Busan, and Gwangju, handle appellate cases. The Supreme Prosecutor's Office, located in Seoul, is responsible for directing and supervising all investigations and operations of Korea's prosecutors' offices.

### **5) What courts have jurisdiction in criminal cases?**

Criminal trials are handled at the District Court level. The High Court handles appeals from the District Court, and the Supreme Court is the court of final appeal.

### **6) Is there an equivalent to plea bargaining?**

There is no provision for plea bargaining. However, an alternative to the typical criminal trial procedure is a system called habui (합의), in which the suspect and the victim agree outside of court on a monetary settlement. The prosecutors may even recommend habui to settle a case and can act as mediators for this process. This allows a victim to be compensated directly and without the need for an attorney. However, habui is only allowed for less-serious crimes such as threats or verbal abuse in which no physical harm occurred. Such settlements are not allowed in sexual assault cases and other serious offenses.

### **7) Are there organizations that represent the victim's interests? Who represents the victim?**

The Office of the Korean Prosecutor has an assistance program for crime victims. Once the police and prosecutors start investigating a criminal case, the Office of Assistance for Crime Victims can provide assistance at the victim's request. The office can be reached by calling 1301. English-language service may not be available.

The Office of Assistance for Crime Victims provides a variety of services, such as counseling and information on the legal procedures of the case. It also provides information on the status of a case, including information about the arrest, date and place of trial, and compensation programs. The office also can help protect victims against retaliation from the perpetrator. The office refers victims to other organizations that can provide additional support services, including financial support.

The Migrant Women's Emergency Call Center for Foreigners (telephone: 1577-1366) provides help for crime victims including counseling services; medical support from designated hospitals; translation support; legal assistance; and shelter referrals. They also may provide attorneys for crime victims. English-language service is available.

The Korea Legal Aid Corporation (telephone 132) and the Korea Bar Association (02-3476-6515) offer free legal services and counseling for victims of domestic violence or sexual assault after an initial case review.

The Korea Crime Victims Center (KCVC: tel. 1577-1295) also provides a variety of services for crime victims including counseling services; financial support for medical transport and medical bills; help in collecting and holding a victim's personal belongings; and financial support to meet living expenses.

## **TRIAL:**

### **1) *How long do trials normally last?***

Courts are required to begin a trial within six months after a referral from the public prosecutor's office. There is no limit on the length of the trials if the suspect is not detained. All decisions are up to the judge. If the suspect is detained, the trial generally must be completed within 18 months after the initial indictment.

### **2) *Will the victim be required to return to Korea to testify?***

The court may require the victim to return to testify.

### **3) *Can the victim submit a written statement, or provide testimony, at the host country's embassy in the United States?***

If requested by the court, written statements or testimony can be provided at the South Korean embassy in the United States.

### **4) *Who else will be present in the courtroom (media, consular officers, etc.)?***

Trials are open to the public unless the presiding judge decides otherwise, often to protect the identity of a victim of sexual assault. A consular officer may attend, if necessary. However, that would happen only in very unusual circumstances.

### **5) *Does the court provide translation for witnesses who do not speak Korean?***

Yes.

### **6) *Will there be a jury?***

In certain cases, the defendant has the option to request a jury trial. However, the jury's decision is advisory only, and is not binding on the judge. In serious cases, a jury may reach a verdict for certain felonies, such as murder and rape, but only with the consultation and consent of the judge. A jury is not available for appellate trials.

### **7) *Are there special protocol requirements in the courtroom?***

People should wear proper attire and stand when the judge enters and the courtroom.

## **SENTENCING:**

In the closing statement at the trial, the prosecutor recommends a form, length or amount of punishment. The court then renders its judgment at trial or in a separate sentencing phase.



**1) *If the defendant is found guilty, when will sentencing take place?***

Sentencing usually takes place within two to six months of the end of the trial. The defendant is detained at the detention center or prison until sentencing.

**2) *Does the victim have input at sentencing?***

Yes. Judges may consider the victim's statements in determining the sentence given to the defendant.

**3) *Will the sentence be served immediately?***

Yes, the prisoner generally begins serving his or her sentence as soon as the sentence is handed down. The prisoner is given credit for time already served in detention.

**4) *Will the victim be notified when the prisoner is transferred or released?***

Police and prosecutors are legally required to notify victims of the offender's release, however, this does not always occur. Victims are encouraged to contact prison officials or the prosecutor handling the case to get more information.

**5) *When will the prisoner qualify for parole?***

A prisoner in Korea will generally qualify for parole after serving one-third of the sentence, but this varies widely. The Ministry of Justice makes the final determination regarding parole.

**APPEALS:**

**1) *Can the accused appeal?***

Yes, both the prosecutor and the defendant can appeal the judgment rendered by the trial court.

**2) *How long does the appeal process take?***

There may be multiple appeals, but the appeal process is generally completed within 18 months, depending on the nature of the case.

**3) *Are victims expected to testify during appeals as well?***

Only if requested by the court.

**ATTORNEYS:** A local attorney may be able to provide legal guidance. Local legal procedures differ from those in the United States. Although the public prosecutor is responsible for prosecuting cases, an attorney can promote an individual's interests with the police and the court. While our office cannot recommend specific attorneys, we can provide a list of attorneys who have expressed interest

in representing U.S. citizens. This list is available on the Internet at [http://photos.state.gov/libraries/korea/187344/ACS/Lawyers\\_List.pdf](http://photos.state.gov/libraries/korea/187344/ACS/Lawyers_List.pdf)

**PUBLIC DEFENDERS:** Courts are willing to appoint public defenders at no charge to minors, people over the age of 70, people with mental or physical disabilities, people who are unable to pay and suspects facing a minimum sentence of three years in prison. A public defender can also be appointed in other cases as needed. In addition, the court can also appoint a public defender to help a victim of sexual violence.

## VICTIM COMPENSATION

### 1) *Is there a national crime victim assistance office?*

#### Resources in Korea:

- *Korea Crime Victims' Center* (KCVC: tel. 1577-1295) – Provides a variety of services for crime victims including counseling services, financial support for medical transport and medical bills, collecting and holding a victim's personal belongings, financial support for living expenses and tuition fees.
- *The Korea Legal Aid Corporation* (tel. 132) and *Korean Bar Association* (tel. 02-3476-6515) – These agencies offer free legal services and counseling for victims of sexual and domestic violence. These organizations conduct a case review before offering services.

#### Resources in the United States, Also Available to Persons Overseas:

- *National Association of Crime Victim Compensation Boards* – This association's website has the links to every state crime victim compensation program. If a crime victim is deemed eligible, state compensation programs can help victims of crime by paying for the costs of medical care, mental health counseling, and lost time at work, as well as expenses that families face in the aftermath of a victimization. <http://www.nacvcb.org/>
- *U.S. Department of Justice Office for Victims of Crime* – Contact information for non-emergency services in communities throughout U.S.: <http://ovc.ncjrs.org/findvictimservices/>
- *National Crime Victim Center* – Offers information for crime victims on the impact of crime, safety planning, legal rights and civil legal remedies, options for assistance and referrals to local programs. Call toll free (8:30 a.m. to 8:30 p.m. EST) 1-800-FYI-CALL or call TTY for hearing impaired (8:30 a.m. to 8:30 p.m. EST) 1-800-211-7996. <http://www.ncvc.org>

- *National Organization for Victim Assistance (NOVA)* – Toll-free 24/7 hotline for information and referral to victim assistance programs: 1-800-TRY-NOVA.  
<http://www.try-nova.org>)

## **2) Are there domestic violence and sexual assault hotlines?**

Please refer to the “Special Information for Cases of Sexual Assault and Rape” section for more detailed information.

### **Resources in Korea:**

- Victims of sexual violence and domestic violence can contact the Foreign Women’s Emergency Call (tel. 1577-1366) and One-Stop Supporting Center for victims of domestic and/or sexual assault (tel. 117, <http://www.safe182.go.kr>)

### **Resources in the U.S.:**

- U.S. Department of Justice Violence Against Women Office – Information about local sexual assault victim assistance: <http://www.ovw.usdoj.gov>
- National Domestic Violence Hotline – Toll-free 24/7 hotline for crisis counseling and referrals: 1-800-799-SAFE.
- American Overseas Domestic Violence Crisis Center - <http://www.866uswomen.org/>
- RAINN (Rape, Abuse and Incest National Network) – Toll-free 24/7 phone and online hotline for sexual assault counseling and referrals: 1-800-656-HOPE, <http://www.rainn.org>

## **3) What financial compensation is available to victims?**

South Korea has a program to provide financial compensation for victims of violent crime. Victims of crime who have suffered serious injuries as well as the dependents of deceased victims are eligible. U.S. citizen crime victims are also eligible. Application forms can be obtained from police stations or prosecutor offices. Disability relief funds for victims typically range from 3,000,000 to 6,000,000 won. Family relief funds for deceased victims are typically 10,000,000 won.

### **For more information about this program:**

- Telephone: +82-2-530-1114
- Fax: +82-2-530-2609

- Korean-language Website: [www.scourt.go.kr](http://www.scourt.go.kr)

## **SPECIAL INFORMATION FOR CASES OF SEXUAL ASSAULT AND RAPE:**

Physical evidence is very important in sexual assault cases, and can deteriorate quickly with time. Therefore, victims should not change clothes, avoid bathing if possible, and have a physical exam at the first opportunity. Victims should take these steps even if they are unsure about whether to report the crime. If the victim later decides to pursue a prosecution, these steps preserve evidence. **A consular officer or after-hours duty officer from the U.S. Embassy may be able to assist victims of sexual assault for the medical exam.**

### **1) How is sexual assault and rape defined in Korea?**

The Korean National Police Agency defines sexual assault and rape as any kind of physical, verbal, or psychological violence that forces sexual relations against a victim's will. This includes rape, attempted criminal assault, sexual misconduct, sexual harassment, child assault, and spousal assault. The definition of rape generally includes penetration of some type. The current definition of sexual assault places a higher evidentiary burden than is common in the United States because it requires strong evidence of violence or coercion.

Prosecutors can pursue a prosecution in sexual assault cases regardless of the victim's decision to file charges. Males are now also considered potential victims of sex crimes. Intoxication is no longer grounds for reducing sentences against the perpetrators of crimes involving sexual assault and rape.

### **2) Who authorizes forensic sexual assault exams in the host country? Are they done in every case? Who performs forensic sexual assault exams? Where should victims go for a sexual assault exam? What does a forensic sexual assault exam involve? Will the victim be allowed to bring a support person? Who pays for the exam?**

Forensic sexual examinations are not mandatory in Korea for every sexual assault case. However, the victim should always seek the assistance of medical professionals as soon as possible after the attack both for health reasons and to obtain as much evidence as possible for possible prosecution. The police may request a forensic examination. The examination usually involves tests for Sexually Transmitted Infections (STIs), HIV/AIDS, and examinations of the uterus and vagina.

A potential victim of a crime can get such an examination free of charge after reporting the case to police. The victim is welcome to ask a friend to accompany. The Ministry of Gender Equality and Family runs 33 relief centers for victims of sexual, domestic and school violence. There are three types of centers: One-stop Support Centers for victims of sexual and school violence; the Sunflower Children Centers; and Sunflower Women & Children Centers. They are all located inside hospitals.

The support includes medical services, counseling, recording of statements, and collection of evidence as necessary for investigations, legal assistance and referrals to non-governmental organizations. These hospitals are available around-the-clock, not only for victims of sexual assault, but also for cases involving school and domestic violence and sex trade. For a list of designated clinics, see [www.police.go.kr/eng/main/contents.do?menuNo=500073](http://www.police.go.kr/eng/main/contents.do?menuNo=500073)

There is an English speaking counselor at the Seoul Crisis Intervention Center for Women and Children (서울해바라기여성아동센터), at one of the relief centers at Seoul National University in Haehwa-dong. The center provides comprehensive services for victims, including free counseling, and medical, legal, psychotherapy and investigation services. English and Korean services are available from 9 am to 6 pm Monday through Friday. Phone: 02-3672-0365, 02-3672-1117 (24 hours)  
Website: [www.help0365.or.kr](http://www.help0365.or.kr)

**Here is a list of all of the other relief centers(33).**

- **One-Stop Centers for Sexual and School Violence (18)**  
Seoul (2): Boramae Hospital and Songpa Police Hospital  
Others: Incheon, Incheon Bukgu, Gyeonggi (Suwon), Gyeonggi Bukgu (North-Uijeong-bu), Gyeonggi Seobu (West – Ansan), Busan, Daegu, Daejeon, Choongbuk, Choongnam, Jeonbuk, Jeonnam, Gwangju, Gyeong-Buk, Gyeongnam, Jeju Island.
- **Sunflower Children Centers (8)**  
Seoul, Gyeonggi, Incheon, Daegu, Gwangju, Choongcheong, Jeonbuk, Gyeongnam
- **Sunflower Center for Women & Children (7)**  
Seoul (Crisis Intervention Center for Women and Children at Seoul National University Hospital)  
Others: Busan, Ulsan, Gyeong-Buk (Gumi), Jeonnam, Gangwon, Gangwon Yeongdong

Victims of domestic and/or sexual violence can also contact the Migrant Women's Emergency Call Center (1577-1366). There is a hotline (117) for victims of school violence as well as domestic and/or sexual assault. However, an English-speaking operator is not available so they will redirect English speakers to a One-Stop Center, which can arrange for a translator.

***3) If the victim decides not to have a medical exam, will that make a difference during the trial? Can rape/sexual assault charges be filed without an exam?***

The prosecutor decides whether to file charges. Naturally, if physical evidence exists, it can strengthen the case. Therefore, whether the victim decides to take a medical exam can make a significant difference in the successful prosecution of the perpetrator.

**4) Who will interview the victim? Will he or she be interviewed by multiple people? Is acquaintance rape (date rape) taken seriously? Is spousal rape a crime? Are there special considerations for male rape?**

A female police officer usually will be designated to interview a female victim. Multiple law enforcement officials may interview the victim. Korea also has enacted laws to protect the identity of survivors of sexual assault. Spousal and acquaintance rape are crimes, but police and prosecutors have only rarely prosecuted these types of cases. Legal changes as of November 2012, acknowledge that males are potential victims of rape.

**5) Are there laws that protect the identity of sexual assault survivors? Can s/he expect media attention?**

Media attention is possible, but the identity of a victim is generally not disclosed to the public. Under Korea law, illegally revealing identities is punishable by up to five years in prison.

**6) Is there a rape crisis hotline? Do operators speak English?**

There is not a rape crisis hotline. However, a person can call 112, a hotline operated by the Korean National Police Agency, to report a rape or any other crime, or even a dispute over a taxi fare. The caller will be transferred to a police officer who speaks English.

The Korea Sexual Violence Relief Center is a free resource of information and counseling for victims of sexual violence at 02-338-5801, 5802. The KSVRC has limited English service. The website: <http://www.sisters.or.kr/index.php/subpage/english/1>.

## **SPECIAL INFORMATION FOR INCIDENTS OF DOMESTIC VIOLENCE:**

**1) Is domestic violence considered a crime in Korea?**

Yes. Domestic violence is a crime involving physical, marital or property damage by a family member against another family member. A family member is considered to be a spouse, an ex-spouse, children, grandchildren, parents, grandparents and any relatives who live together.

**2) How can victims get a protection/restraining order? How are restraining orders enforced?**

Victims of domestic violence can seek a protection/restraining order by contacting their local police or the domestic violence assistance hotline listed below. Restraining orders are enforced through the court system.

**3) *Are there secure domestic violence shelters in Korea? How many beds do the shelters have? Can they take walk-in clients? Can children stay at the shelters?***

The Korean Ministry of Gender Equality manages approximately 40 domestic violence shelters throughout the country. Most shelters have 10-30 beds. Most victims are brought to them through a police or government referral, so it is best to contact police to report a case of domestic violence. The location of the shelters is kept confidential to make them more secure. Young children are generally allowed to stay with their parent in the shelter, but children who have reached the age of puberty, particularly males, are encouraged to move to separate children's facilities.

**4) *Is there a domestic violence hotline? Do the operators speak English?***

Yes, a special domestic violence assistance hotline exists for foreigners who are victims of domestic violence in Korea. The number is 1577-1366. The hotline operators are able to provide assistance in English. Also, the One-Stop Support Centers for victims of domestic and/or sexual assault (tel. 117), can assist victims. The Korean-language Website with a link to the Support Center is <http://www.wm1366.org>.

**5) *Is stalking a crime in Korea?***

Korean law defines the act of stalking as the excessive following, observing, or contacting of another person. It is a criminal offense. There may also be civil remedies available for stalking victims, such as obtaining a restraining order and compensation for material loss.

## **SPECIAL INFORMATION FOR CASES OF CHILD ABUSE:**

**1) *What government authority is responsible for the protection of children? What authority do they have to investigate allegations of child abuse?***

The Ministry of Health and Welfare is charged with the protection of children and juvenile policy in general. Some overlap exists with the Ministry of Gender Equality and Family in the areas of sexual violence. The Ministry of Health and Welfare sends counselors to investigate allegations of child abuse. However, police and prosecutors are the only agencies that conduct criminal investigations. In South Korea, teachers, doctors and other professionals are required to report cases of suspected child abuse.

**2) *How can suspected child abuse be reported? Who is required to report suspected child abuse?***

Suspected child abuse should be reported to the police or any local child protection agency by calling the National Child Protection Agency at 1577-1391 or 129. Interpreters are available for foreign victims or persons reporting crimes during business hours. According to the Children's Welfare Act, employees of a wide variety of educational and care centers must report suspected child abuse to the police or face fines.

**3) *Where would a U.S. citizen child be placed if he or she was removed from the home?***

If a Ministry of Health and Welfare counselor determines that a child needs to be removed from the home, the preferred alternate placement is with relatives. If no suitable relatives can be found, an abused child could be sent to a temporary shelter or entrusted to a volunteer foster family in Korea.

**4) *What local resources have expertise in helping child victims?***

The National Child Protection Agency hotline (see above) accepts reports of child abuse 24 hours a day, 7 days a week. Their website also has a list of local child protection agencies:

**National Child Protection Agency**

Telephone: 1577-1391 or 129 and Website: [http://korea1391.org/new\\_index/](http://korea1391.org/new_index/) (Click on English in the upper right-hand corner). Please note that the Ministry of Health and Welfare sends counselors to investigate allegations of child abuse, and English speakers may not be available.

**5) *What medical resources are available for the medical examination of U.S. citizen child who may have been physically or sexually abused?***

The counselor may send the child to a nearby hospital for an examination, accompanied by an investigator. If the examination occurs within 20 hours of the alleged crime, all physical evidence will be collected by the doctor in the presence of the investigator.

**6) *Will the child be expected to testify if the abuser is charged with a crime? How will the child be prepared for the trial? Will the court make special accommodations for the child to minimize the trauma of testifying?***

Victims of child abuse are rarely expected to testify in court against their abuser, but it is possible they may be asked to do so. To help protect children under the age of 16 from the trauma of testifying, courts frequently allow children to testify via video recording.

## **SPECIAL INFORMATION FOR CASES OF HOMICIDE:**

**1) *Is an autopsy required in homicide cases?***

Yes.

**2) *Are surviving family members able to participate in the prosecution?***

Korean authorities make every effort to keep surviving family members informed on the process. Family members may attend the hearing and, at the judge's discretion, may make a statement at sentencing. A statement potentially can have an effect on the sentence delivered by the judge.



### 3) Are there any special requirements for handling the estate in homicide cases?

Families of homicide victims may be eligible to receive up to 10,000,000 won from the government as compensation under Korea's crime victim compensation program. All monies, along with other personal items in the estate of the victim, will be returned to the victim's family. Personal items marked as evidence in the homicide case also will be returned to the family after the case is closed.

**"DISCLAIMER: The U.S. Department of State assumes no responsibility for the professional ability or integrity of the organizations whose names appear above. This referral does not constitute an endorsement or recommendation of the U.S. Department of State."**

## Consular Assistance to American Crime Victims Overseas

The State Department is committed to assisting American citizens who become victims of crime while abroad. If you are the victim of a crime while in Korea, contact U.S. Embassy Seoul. We are here to provide emergency assistance 24 hours/7 days/week. Please call us at (02) 397-4114.



### U.S. Embassy Seoul American Citizen Services (ACS)

**Appointment Hours:**  
8:45-11:15 am, M-F  
1:00-3:00 pm, M,T,Th,F

**To make for appointments, go to:**  
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